

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 2702 of 1984

For Approval and Signature:

Hon'ble THE CHIEF JUSTICE MR. K.SREEDHARAN  
and  
MR.JUSTICE A.R.DAVE

- =====
1. Whether Reporters of Local Papers may be allowed to see the judgements?
  2. To be referred to the Reporter or not?
  3. Whether Their Lordships wish to see the fair copy of the judgement?
  4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
  5. Whether it is to be circulated to the Civil Judge?  
1 to 5 : NO

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NATWARLAL H BORISAGAR

Versus

D.G.P

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Appearance:

MR YN OZA for Petitioner

M/S MG DOSHIT & CO for Respondent No. 1, 2, 3

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CORAM : THE CHIEF JUSTICE MR. K.SREEDHARAN and  
MR.JUSTICE A.R.DAVE

Date of decision: 27/04/98

ORAL JUDGEMENT {Per : K. Sreedharan, CJ.}

Petitioner, at the time of filing this petition was working as a Police Sub-Inspector. By an Order dated 22nd November, 1982, he was reverted to the post of Head Constable Grade-I. That order was challenged in this Special Civil Application. The main prayer in the

application was for the issuance of writ of mandamus quashing and setting aside the order of reversion from the post of Police Sub-Inspector, and for a direction to the respondents to treat him as Police Sub-Inspector as if no order of reversion was passed. While admitting this petition, this Court passed order preventing respondent-State from reverting the petitioner to the post of Head Constable Grade-I.

2. Office Superintendent, Office of the Deputy Inspector General of Police, Junagadh filed an Affidavit dated 20th December, 1997. In that affidavit, it is stated that petitioner has been given higher scale of Police Sub-Inspector and on 30th November, 1987 he has been retired and his pension account has been sanctioned by Pension Account No. PR-1/255/BVN/2200 dated 31-12-1987.

3. Though petitioner was ordered to be reverted as per Order dated 22-11-1982, his reversion was prevented by this Court. Therefore, he continued as Police Sub-Inspector till superannuation. He retired from service on 30th November, 1987. From the affidavit, it is seen that his retiral benefits have been settled on the basis of the scale of pay drawn by him as Police Sub-Inspector. Therefore, all his grievances have been redressed. No further order is called for. This petition has become infructuous. It accordingly stands dismissed. Rule discharged.

[K. Sreedharan, C.J.]

[A.R Dave, J.]

Prakash\*